



Minutes of March 20, 2013 Meeting

The Sonoma County Waste Management Agency met on March 20, 2013, at the City of Santa Rosa Council Chambers, 100 Santa Rosa Avenue, Santa Rosa, California

**Present:**

City of Cloverdale  
City of Cotati  
City of Healdsburg  
City of Petaluma  
City of Rohnert Park  
City of Santa Rosa  
City of Sebastopol  
City of Sonoma  
County of Sonoma  
Town of Windsor

Bob Cox  
Susan Harvey, Chair  
Mike Kirn  
Dan St. John  
Linda Babonis  
Jennifer Phillips  
Absent  
Steve Barbose  
Susan Klassen  
Debora Fudge

**Staff Present:**

Counsel  
Staff

Janet Coleson  
Patrick Carter  
Karina Chilcott  
Henry Mikus  
Lisa Steinman  
Charlotte Fisher

Recorder

1. **Call to Order**  
The meeting was called to order 9:04 a.m.
2. **Agenda Approval**  
There were no changes to the agenda.
3. **Public Comments (items not on the agenda)**  
None.

**Consent**

- 4.1 Minutes of February 20, 2013
- 4.2 FY 11-12 Financial Statement Audit

**Susan Klassen, County of Sonoma, moved to approve the Consent Calendar as presented. Linda Babonis, City of Rohnert Park, seconded the motion. The motion passed. City of Sebastopol absent.**

**Regular Calendar**

5. **CalRecycle Presentation**  
Henry Mikus, Executive Director, introduced Ms. Krysty Emery, a California Department of Resources, Recycling, and Recovery (CalRecycle) Integrated Waste Management Specialist, who spoke about how CalRecycle provides assistance to local agencies for implementation of

AB 939, the recycling legislation adopted in 1989. The two areas of CalRecycle assistance for the Agency are the grant funds which support Agency programs, such as the City/County Payment Program and Oil Payment Program, and the issuance of Solid Waste Facility permits, where the Agency's permit for the composting operation originated. CalRecycle has numerous required regional reporting obligations that the Agency provides on behalf of member jurisdictions. Ms. Emery also presented background on the role of CalRecycle, the completion of the four year review of programs specific to Sonoma County, State and Regional Agency accomplishments, and plans for moving forward. Plans for moving forward include treatment of food waste, increased usage of Recycling Marketing Development Zone (RMDZ), and starting the next four year review.

### **Board Questions**

Linda Babonis, City of Rohnert Park, requested funding opportunities for the individual cities economic development purposes be made known as they are issued. Ms. Emery assured that this would be done.

Dan St. John, City of Petaluma, asked for other examples of other regional programs. Ms. Emery gave several examples of counties near Sonoma as well as State activities that include multiple bans that are in process. She also pointed out that Sonoma County is one of the more progressive counties with respect to being proactive on State mandated programs.

### **Public Comment**

None.

This item was informational only and required no action by the Board.

## **6. FY 13-14 Draft Work Plan**

Mr. Carter presented the highlights to the FY 13-14 Workplan consisting of proposed projects, such as a waste characterization study, changes in existing programs, such as increased Spanish language outreach, and options to be considered with respect to funding constraints, such as extending the Household Hazardous Waste (HHW) operations contract. Even though the Board has a goal of rebidding all contracts, staff determined that the HHW contract could be affected with a State program (PaintCare) to deal with the disposal of paint. The recommendation would be to extend the HHW contract in order to give the PaintCare program enough time to go into effect.

### **Board Questions**

Steve Barbose, City of Sonoma, asked if the Agency had contact with the HHW contractor concerning the extension.

Mr. Mikus confirmed that there had been discussion with the contractor and they were agreeable with the extension.

Susan Klassen, County of Sonoma, felt that the bag ban proposed expense for ordinance enforcement was too low.

Mr. Carter replied that the ban had not been adopted yet and the funding was a forecast assuming that the enforcement would be minimal based on the experience of other jurisdictions who have adopted and enforced the ban.

Debora Fudge, Town of Windsor, stated she was unconvinced that the costs for operation of the HHW facility would increase with a new agreement and she would like to see the contract put out for bid.

Mike Kirn, City of Healdsburg, asked what the State position on the PaintCare program. Ms. Emery said the State had not formulated a position yet.

Mr. Kirn also inquired about the benefit of the Adopt-A-Road proposed project as a model for other use.

Mr. Carter replied that was the intent of this project and the funding was provided by the beverage container grant to be used for regional purposes. Mr. Mikus added some background about the development of the partnership with Transportation and Public Works as well as some detail as to the Agency involvement.

Susan Harvey, City of Cotati, asked if there was anything missing from the Workplan because of budget constraints that should be considered instead of or in addition to the items proposed. Mr. Carter replied that staff included everything that they thought about. There are certainly other projects/programs out there that could be considered, such as regional construction and demolition (C&D) program which lead to the discussion of a waste characterization study. The previous study was conducted in 2007 and the results of a new study would allow more efficient planning for future programs.

Ms. Harvey's second question concerned the preferred timing of waste characterization studies.

Mr. Carter referred to Ms. Emery for state practices. Ms. Emery replied that the State does periodic sorts and does have a State goal of 75% recycling using the characterization studies as a measure.

### **Public Comments**

Ken Wells, Guiding Sustaining, representing the Sierra Club on the AB 939 Local Task Force, agreed with the idea of building on other jurisdictions' bag ban experience. He also recommended adding the C&D ordinance development to the FY 13-14 in order to track/monitor the amount of the materials diverted.

Stu Clark, member of the Research Committee of the Solid Waste Advisory Group, echoed the comments made by the previous speaker. The C&D ordinance was mentioned many times during discussions with the stakeholders on the committee. He cautioned not developing an ordinance that overly burdensome for the participants. There is capacity for C&D processing diverted materials at the present time and there are monitoring options available with the haulers for tracking.

### **Board Discussion**

Debora Fudge, Town of Windsor, after listening to the comments concerning C&D would agree to drop her resistance to extending the HHW contract in lieu of starting the development of a regional C&D ordinance.

Mr. Mikus reminded Boardmembers that SCS Engineers drafted a C&D ordinance in 2009. It could possibly need modification. A report done as a part of the SWAG work revealed a "patchwork" of C&D programs throughout the county. One approach would be to update and distribute the existing draft using the proposed waste characterization study as a basis. Staff can come back with a report of options and proposed expenses as well as funding sources.

Susan Klassen, County of Sonoma, asked if the FY 13-14 Work Plan included the Request for Proposals (RFP) for the HHW contract. Mr. Carter replied that expense was included in the current FY 12-13 Budget.

Chair Harvey stated that a waste characterization study would supply current information and be useful in planning to move forward with diversion options.

Kristy Emery, CalRecycle staff, stated the State is currently looking at a C&D ordinance for each jurisdiction. She is researching the "patchwork" and will be in touch with staff to assist in development of a regional ordinance.

Chair Harvey asked for input on how to handle the options presented as a part of the FY 13-14 Work Plan approval process. Steve Barbose, City of Sonoma, requested that each option be approved separately.

**Steve Barbose, City of Sonoma, moved to extend the HHW contract one year. Bob Cox, seconded the motion. The motion passed with City of Sebastopol absent.**

**Susan Klassen, County of Sonoma, moved that the waste characterization study be included in the FY 13-14 Work Plan. Mike Kirn, City of Healdsburg, seconded the motion. The motion passed with the City of Sebastopol absent.**

Dan St. John, City of Petaluma, asked if materials not taken to Central will included in the waste characterization study. Mr. Carter replied that there are sorts conducted at the Redwood Disposal Site in Marin County in order to capture all of Sonoma County disposed material.

Mr. St. John also asked what materials were included in the study. Mr. Carter said the only materials that are accepted at the Central landfill are studied.

**Debora Fudge, Town of Windsor, moved to analyze the current C&D ordinance and look at the next steps necessary for approval. Linda Babonis, City of Rohnert Park, seconded the motion. The motion passed with the City of Sebastopol absent.**

**Steve Barbose, City of Sonoma, moved that all of the remaining items presented in the FY 13-14 Work Plan be approved. Dan St. John, City of Petaluma, seconded the motion. The motion passed with the City of Sebastopol absent.**

## **7. FY 13-14 Draft Budget**

Mr. Carter gave an outline of the FY 13-14 Draft Budget. The preparation of the SCWMA's annual budget begins with direction and approval by the Board of a Draft Budget, establishing funding guidelines and other parameters necessary to integrate the SCWMA's annual budget with the County's budget, accounting and audit process. Key differences between FY 12-13 Approved Budget and the FY 13-14 Draft Budget were presented for discussion.

### **Board Questions**

Dan St. John, City of Petaluma, wanted to know what the reserve goals were for each of the reserve funds. Mr. Mikus gave a brief description and goal for each of the reserve funds.

### **Public Comment**

None.

### **Board Discussion**

Susan Harvey, City of Cotati, asked why there was no budget for travel in FY 13-14 as compared to FY 12-13. Mr. Carter replied travel funding was included in FY 12-13 for visits to composting sites as a part of the Agency composting relocation efforts.

There are no changes to the FY 13-14 Draft Budget and the FY 13-14 Final Budget will come back for approval with a unanimous vote.

## **8. Engineering Services**

Mr. Mikus presented information on a proposed contract with SCS Engineers to perform a "Zero-Discharge" Plan. The Agency operates a composting operation at the Central Disposal Site. Although the Agency is the permit holder for the Solid Waste Facility Permit (through CalRecycle and the Local Enforcement Agency), a water permit that covers Agency composting operation is held by the County through the North Coast Regional Water Quality Control Board (NCRWQCB).

The NCRWQCB released a draft of its Waste Discharge Requirements (WDR) December 7, 2012 and conducted an informational session January 9, 2013. A revised draft WDR, reflective of comments received during their comment period including at the January 9, 2013 session, was issued by NCRWQCB March 1, 2013 with the May 15, 2013 submittal date for a "Zero-Discharge" plan still in place.

Staff have corresponded and met with County staff, since they are the permit holder with regard to the WDR. However, responsibility for the "zero-discharge" plan rests with the Agency since it concerns the Agency facility and its run-off. A meaningful plan, that would also examine potential alternatives, would develop a time-line, and include reasonably accurate cost estimates, would best be developed by an engineering firm.

Given the short time frame, which needs to include County review of the Agency plan (as the permit holder the submittal to NCRWQCB would be by the County), makes it difficult to go through normal involved procurement process. SCS Engineers is a consulting firm specializing in solid waste facility design that has been working on the County's efforts to secure permits for landfill expansion. Thus they already have the greatest familiarity with the landfill site, the expansion permit documents, and particularly the WDR that stipulates the Zero-Discharge requirement and plan.

Staff has had several discussions with SCS Engineers about formulating a "Zero-Discharge" plan, including different alternatives for achieving the NCRWQCB goals. SCS Engineers has prepared a Cost Proposal with a scope of work and cost estimate, and a schedule of fees. Staff has evaluated the SCS proposal and finds it to meet the needs of the project and is appropriately priced at not-to-exceed \$25,000.

### **Board Questions**

Dan St. John, City of Petaluma, asked for clarification as to which site. Mr. Mikus responded that the discharge plan will be for the existing site only.

Mr. St. John asked if the Agency would have a separate permit. Mr. Mikus replied that the County is the permit holder; the Agency would be named as "co-discharger".

Mr. St. John inquired if the County has to approve the Agency actions. Mr. Mikus replied in the affirmative.

Mr. St John asked if the HHW site is included in the discharge plan. Mr. Mikus responded that the HHW facility is covered and does not produce any stormwater runoff.

Mr. St. John asked if there was any limit to a SCS Engineer principal billing as the project manager. Mr. Mikus replied that has never been done, but the short form agreement could be adjusted to include that language.

Susan Harvey, City of Cotati, asked if the discharge plan report would come to Board. Mr. Mikus responded it would not be presented to the Sonoma County Board of Supervisors.

Susan Klassen, County of Sonoma, interjected that this is just a plan. If the leachate pipeline were to be used to move the stormwater runoff away from the composting operation, then the Board of Supervisors and the Agency Board would need to approve.

**Public Comment**

None.

**Susan Klassen, County of Sonoma, moved to approve the recommendation presented by staff to use SCS Engineers to prepare the discharge plan and to approve the appropriation transfer for funding “not to exceed” \$25,000. Bob Cox, City of Cloverdale, seconded the motion. The motion passed with the City of Sebastopol absent.**

**9. Attachments/Correspondence:**

- 9.1 Director's Agenda Notes
- 9.2 Reports by Staff and Others:
  - 9.2.a March and April 2013 Outreach Events
  - 9.2.b Water Board letter to County; Agency response letter
  - 9.2.c City of Rohnert Park JPA renewal letter and Agency response

**10. Boardmember Comments**

No comments.

**11. Staff Comments**

Judy Hoffman, Agency temporary clerk, was introduced by Mr. Mikus. The hiring process is continuing for the Senior Office Assistant position.

Lisa Steinman announced she planned to apply for sharps containers grant.

Mr. Mikus has been visiting City Councils presenting the bag ban ordinance.

**12. Next SCWMA meeting: April 17, 2013**

**13. Adjourn**

The meeting was adjourned at 11:08 a.m.

Submitted by  
Charlotte Fisher